IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH DAKOTA SOUTHWESTERN DIVISION

William Pipes, Brittany Pipes, Briana)	
Pipes, Takoda Pipes, Isaiha Pipes,)	
Plaintiffs,)	ORDER ADOPTING REPORT AND RECOMMENDATION
vs.)	
State of North Dakota, JRCC,)	
Don Redmann, Leann Bertsch,)	Case No. 1:07-cv-067
Virginia Kleven, and Vicki Steckler,)	
Defendants.)	

The plaintiff, William Pipes, filed this pro se civil rights action under 42 U.S.C. § 1983 on September 11, 2007. Magistrate Judge Charles S. Miller, Jr. conducted an initial review of Pipes' complaint as mandated by 28 U.S.C. § 1915A. On December 10, 2007, Judge Miller submitted a Report and Recommendation. Judge Miller recommended that Pipes be permitted to proceed against defendant Don Redmann in his official and individual capacities and Leann Bertsch in her official capacity on four of his nine claims, that Pipes children be dismissed as party plaintiffs, and that all other claims and defendants be dismissed without prejudice. Pipes was then given ten (10) days to file an objection to the Report and Recommendation.

On December 18, 2007, Pipes submitted a letter by mail and stated that he could not afford to mail "paperwork to continue in cases 1:07-cv-57/67." See Docket No. 24. The Court construed Pipes' letter as a request for more time and, on January 8, 2008, the Court extended Pipes' time to file an objection until February 15, 2008. See Docket No. 25. No objection was filed.

The Court has carefully reviewed the Report and Recommendation, relevant case law, and the entire record and finds the Report and Recommendation to be persuasive. The Court **ADOPTS**

the Report and Recommendation (Docket No. 23) in its entirety. As a result, the Court **ORDERS** as follows:

- 1. That Pipes' children shall be dismissed as parties from the action without prejudice;
- 2. That Pipes shall be permitted to proceed against defendants Don Redmann in his official and individual capacities and Leann Bertsch in her official capacity, but only with respect to the following claims:
 - a. Claim number 1 (relating to the imposition of prison discipline)
 - b. Claim number 2 (alleging denial of access to the courts)
 - c. Claim number 3 (relating to alleged monitoring of attorney-client conversations); and
 - d. Claim number 8 (relating to his bad tooth).
- 3. That all of the other claims and defendants shall be dismissed without prejudice;

IT IS SO ORDERED.

Dated this 20th day of February, 2008.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge United States District Court